

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

UNITED STATES OF AMERICA,

Plaintiff,

VS.

SAUL GASTELUM-LARA,

Defendant.

CASE NO. 4:03-CR-25

OPINION & ORDER
[Resolving Doc. No. [109](#)]

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

Defendant Saul Gastelum-Lara moves the Court for early release pursuant to 18 U.S.C. § 3624.^{1/} Defendant Gastelum-Lara seeks relief based on the Federal Prison Nonviolent Offender Relief Act of 2013, H.R. 62, 113th Cong. (2013).^{2/}

However, this Bill has not been passed by the House of Representatives or the Senate. It further has not been signed by the President. Accordingly, it is not law.^{3/} Moreover, the Court notes that even if it were the law, under 18 U.S.C. § 3624 it is the Attorney General and Bureau of Prisons, not the district court, that has authority to compute time served.^{3/} As such, the Court is without jurisdiction to grant the motion.

¹Doc. 109.

²*Id.*

³See U.S. CONST., art. I, §7, cl. 2.

³⁴ “[T]he power to grant credit for time served lies solely with the Attorney General and the Bureau of Prisons.” *United States v. Crozier*, 259 F.3d 503, 520 (6th Cir. 2001).

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Gwin, J.

Therefore, Defendant is not entitled to the relief sought.

IT IS SO ORDERED.

Dated: February 25, 2014

s/ *James S. Gwin*
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE